

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 8439 of 2005

Between:

M. Ramachandraiah, S/o. Mallaiah,
R/o. Cheepununthala Village, Talakondapally Mandal,
Mahabubnagar District.

..... PETITIONER

AND

- 1 The District Collector, Panchayat Raj Wing,
Mahabubnagar District, Mahabubnagar.
- 2 The District Panchayat officer, Panchayat Raj,
Mahabubnagar District.
- 3 The Divisional Panchayat Raj Officer,
Mahabubnagar District.
- 4 The Mandal Development Officer,
Talakondapally Mandal, Mahabubnagar District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction more particularly in the nature of Writ of Mandamus declaring the proceedings of the respondent No.1 bearing No.A2/1624/2004 dt. 28.02.2005 as illegal, arbitrary, unconstitutional and violative of principles of natural justice.

Counsel for the Petitioner:MR.M.VENKATASWAMY

Counsel for the Respondent Nos.1 to 3: GP FOR PANCHAYAT RAJ & RURAL DEV.

Counsel for the Respondent No.4 : Smt.Jyothi Eswar Gogineni

The Court, at the stage of admission, made the following :

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ORDER:

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Against the impugned order passed under Section 249(6) of the Andhra Pradesh Panchayat Raj Act, 1994 (for short “the Act”), an alternative remedy is available under Section 264 of the Act by way of revision before the Government. Without exhausting the said alternative remedy, the petitioner cannot maintain this writ petition.

Accordingly, the writ petition is disposed of granting leave and liberty to the petitioner to work out the alternative remedy, as available under law. However, status quo obtaining as on today shall be maintained for a period of two weeks from today.

15.04.2005

Note : Furnish C.C., by tomorrow.

(B/O)

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To

- 1 The District Collector, Panchayat Raj Wing,
Mahabubnagar District, Mahabubnagar.
- 2 The District Panchayat officer, Panchayat Raj,
Mahabubnagar District.
- 3 The Divisional Panchayat Raj Officer,
Mahabubnagar District.
- 4 The Mandal Development Officer,
Talakondapally Mandal, Mahabubnagar District.
- 5 Two C.Cs to the G.P.for Panchayat Raj and Rural
Development, High Court Buildings, Hyderabad (OUT).
- 6 2 CD copies
- 7 1 CC to MR.VENKATASWAMY.